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complaint on defendant USA on or about July 7, 2006.

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- 2. The parties have decided to provide the Internal Revenue Service Appeals Officer with another opportunity to review and reconsider the subject proposed collection action pursuant to Collection Due Process (CDP) hearing, including DCM's proposed penalty abatement and payment plan, in hopes that such IRS review and reconsideration will resolve this action.
- 3. In furtherance of this goal, the parties stipulate that this action should be stayed for a period of four months, after which the parties will file a joint status report with the court summarizing the status of the IRS review and any resulting findings, including the disposition of this action in light of such findings and a proposed future course of action.

IT IS SO STIPULATED.

Dated: September 29, 2006

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LANZA & GOOLSBY
A Professional Law Corporation

Anthony I Janza attorneys for plaintiff

Debra Wong Yang U.S. Attorney

Evan J. Davis

AUSA, attorney for defendant

Having considered the stipulation above, and having determined that good cause exists for approval, the terms of the above stipulation shall be the order of this court. This court shall retain jurisdiction during and subsequent to the temporary Of White States District Judge stay ordered herein.

IT IS SO ORDERED:

Dated: , 2006

PROOF OF SERVICE

1 STATE OF CALIFORNIA, COUNTY OF ORANGE 2 I am a citizen of the United States, over the age of 18 years, employed in the County of Orange 3 in the office of a member of the State Bar at whose direction service was made. I am not a party to the within action. My business address is 3 Park Plaza, Suite 1650, Irvine, CA, 92614. 4 5 On September 29, 2006 served the following STIPULATION FOR TEMPORARY STAY; ORDER on the interested parties in this action by placing true copies thereof enclosed in a sealed 6 envelope addressed as follows: 7 Attorney for United States of America Evan J. Davis 8 Chief, Tax Division Assistant United State Attorney 9 7211 Federal Building 300 North Los Angeles St. 10 Los Angeles, CA 90012 Fax: (213) 894-0115 11 Attorney for DCM Michael Shaff, 12 Irvine Venture Law Firm, LLP 5 Hutton Centre Dr., Suite 1400 13 South Coast Metro, CA 92707 Facsimile (949) 660-7799 14 15 X BY MAIL: I caused such envelopes (with postage thereon fully prepaid) to be placed in the United 16 States mail at Irvine, California. I am readily familiar with this firm's practice of collection and processing correspondence for mailing. It is deposited with the United States Postal Service on that same 17 day in the ordinary course of business. I am aware that on motion of parties served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposition for 18 mailing specified in the affidavit. 19 BY FACSIMILE: A copy was transmitted via facsimile, followed by a copy via US Mail. 20 BY PERSONAL SERVICE: I caused such envelope to be delivered by hand 21 to the offices of the addressee(s). 22 BY OVERNIGHT DELIVERY: As follows: I am "readily familiar" with the Firm's practice of collection and processing correspondence for overnight deliver. Such correspondence will be deposited 23 with a facility regularly maintained by an overnight delivery service for receipt on the same day in the ordinary course of business. 24 I declare under penalty of perjury under the laws of the State of California and the United States of 25 America that the foregoing is true and correct. 26 Executed September 29, 2006 at Irvine, California. Malier 27 28 Laura Malnar